

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY  
Plaintiff

v.

EASEMENTS AND RIGHTS-OF-WAY  
OVER A TOTAL OF 1.83 ACRES OF LAND,  
MORE OR LESS, IN SUMNER COUNTY,  
TENNESSEE, and  
WALTER H. STEPHENSON, II  
Defendants

No. 3-11-cv-0304

Judge Wiseman

**ORDER APPOINTING COMMISSIONERS**

For the reasons set forth in Administrative Order No. 75 of this Court entered on April 4, 1979,

and entitled Order Establishing Commission Pursuant to Rule 71A(h) [currently 71.1(h)]

of the Federal Rules of Civil Procedure, the Court finds that the issue of just compensation

for the taking of the property herein condemned should be determined by a commission of

three persons appointed by the Court pursuant to said Rule. Accordingly, the Court appoints

WILLIAM FARMER, Chairman, JACK DERRYBERRY, and DR. HORACE JOHNS

to serve as commissioners. The commission shall have the power of a master provided in

subdivision (c) of Rule 53 of the Federal Rules of Civil Procedure, and proceedings before it

shall be governed by the provisions of paragraphs (1) and (2) of subdivision (d) of said Rule. Its

actions and report shall be determined by a majority, and its findings and report shall have the

effect and be dealt with by the Court in accordance with the practice prescribed in paragraph (2)

of subdivision (e) of Rule 53. Trial of all issues shall otherwise be by the Court.

IT IS FURTHER ORDERED that any party in interest may within ten (10) days from the entry of this order, or within twenty (20) days after the filing of this action, file with the Clerk written objections to the appointment of such commissioners, stating the grounds of such objection.

The commissioners shall follow the charge adopted in and attached to Administrative Order No. 75 in the performance of their duties. Said commissioners, upon their appointment, shall read said charge, which is published in 61 F.R.D. 503 (E.D. Tenn. 1973), and shall comply with its terms and provisions. Any person or party in interest whose appearance has been entered pursuant to Rule 71.1(e) of the Federal Rules of Civil Procedure may object to the instructions and offer alternate or additional instructions within five (5) days after entry of their appearance in this cause.

Copies of this order shall be furnished by the Clerk to all parties and to their counsel whose appearances are entered pursuant to Rule 71.1(e) of the Federal Rules of Civil Procedure and to the commissioners.

It is so ORDERED.

A handwritten signature in cursive script, appearing to read "J. Chikren", is written over a horizontal line.

United States District Judge